IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Inventor(s):	**Blayn W. Beenau, et al.**	Docket No.:	**70655.0200**
Serial No.:	**10/708,838** Confirmation No.: **2837**	Group Art Unit:	**2876**
Filing Date:	**March 26, 2004**	Examiner:	**Walsh, Daniel I.**
Title:	**SYSTEM FOR REGISTERING A BIOMETRIC FOR USE WITH A TRANSPONDER**		

TERMINAL DISCLAIMER TO OBVIATE
A PROVISIONAL DOUBLE PATENTING REJECTION
OVER CO-PENDING APPLICATION

Mail Stop Amendments
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The owner, American Express Travel Related Services Company, Inc., of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on the pending reference Application Number, 10/710,331, which was filed on July 1, 2004; as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on

the reference application is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.
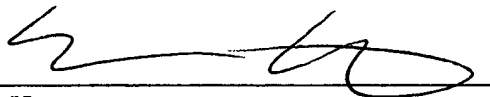
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record, Reg. No. 56,677.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: __September 16, 2005__   By:_____

Emma Harty
Reg. No. 56,677

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